CUT MOTION No. 21

Mullurkayal Reservoir Scheme

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Mr. Chairman, let me before commenting on the cut motion congratulate you on your being called upon to preside over this House soon after your coming to this council.

Now Sir, with regard to the cut motion may I know whether my request for modifying the cut has been sanctioned.

Panel Chairman: It has been allowed, and it may be in the amended form.

Mr. P. Kumaran Ezhuthasan *(Vadakkancheri):* The cut motion that stands in my name is as shown below.

"To omit the allotment of Rs. 50,000 for Mullurkayal Reservoir Scheme—Original in item No. 221, Appendix F under—Irrigation Original, as the same is not necessary." But Sir, certain things that have come to my notice and to the notice of the House also subsequent to my sending up the cut motion, have forced me to make the request for converting the omission cut into a token cut with the object of suggesting to the Government for their careful and sympathetic consideration certain proposals which will be useful to relieve the distress of persons affected prejudicially by the said scheme. Hence the amendments. The cut motion in its amended form reads thus: "To reduce the allotment of Rs. 50,000 for Mullurkayal Reservoir scheme, original in item No. 221, "Appendix F under—Irrigation Original by Re. 1. To place before the Government certain practical suggestions to lessen the hardship caused by this scheme to the tenants and owners of lands, adversely affected by the scheme and to request the Government to accept the same in the working of this scheme."

The Government seem to be of opinion Sir, that this scheme is a pressing necessity in the major interests of the country and I have succeeded in converting myself also into that view. This subject had engaged the attention of the Covernment about 2 years ago. A provision of 13 thousand rupees had been made in the budget for 1118 for this item. The amount being found insufficient for payment of compensation to the owners of land flooded by the scheme at the enhanced rate of price for paddy a supplementary grant of 38 thousand rupees was asked for in the bddget session of 1118. A discussion followed. That discussion had disclosed that though the kole cultivation could be saved from drought by keeping the level of Enamakkal bund at its normal, it would be safer to attempt to save the said lands from drought by the Mullurkayal storage scheme that was successfully attempted in 1118 especially in view of the increased cost of materials for bunding and pumping operations connected with kole cultivation and also because of the additional safety of saving them from pumping. The Government had not then decided whether the scheme is to be continued this year and had therefore not provided for it in the budget for the year 1119. They subsequently decided to try the scheme in 1119 also and they are satisfied that it is a success and the amount required for the current year's operations had been asked for and obtained through a supplementary demand on the first day of the session.

From the discussion on this matter of supplementary demand on Monday last as also from a series of questions put and answered during the subsequent days and the innumerable complaints received by the Diwan Peishkar both regarding the award of compensation for the year 1118 as also regarding proposal for this year's and from the facts placed before the Diwan through a deputation that my Hon'ble friend representing the constituency in which the submerged area is situated and by myself the following facts have emerged. (i) That an area of over 600 acres of kole and puncha lands have been completely submerged thus making it impossible to raise any crop thereon necessitating the payment of full compensation to the owners and cultivators in that area.

(ii) that roughly 300 to 350 acres of Mundakan lands bordering the submerged area have been or are likely to be adversely affected by the storage which is admitted to be to a depth of 8 feet over a surface area of 600 acres and more.

(iii) that the aggrieved parties have a complaint that another extent of nearly 300 acres of virippu lands could not be successfully cultivated as a result of the bunds under the 3 bridges under the Parappur road bounding the storage on the south being not fully opened after the kole harvest.

(iv) the land owners have yet another ground of grievance and a very serious one that the compensation that the Government paid to them is quite meagre.

If the above are true facts resulting from the Government launching upon this scheme of the storage of water in the Mullurkayal they have a duty to see that everything is done to reduce

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the evil effects of the scheme to an irreducible minimum. The object of the cut is to suggest practical methods so to do.

These methods, according to me, are (*i*) as far as the 600 and odd acres of completely submerged lands—kole and puncha—are concerned, compensation is to be paid liberally and on a scientific basis. (Note the word liberally)

(*ii*) Regarding the 300 and more acres of mundakan lands bordering the submerged area on the north the crops whereon are adversely affected the causes that go to create this may be kindly removed. I am reliably told Sir, that the kole lands are sown only in the second week of Makaram. The kole lands have therefore to be drained at the earliest by the first week of Makaram. This draining is admittedly done by letting off the excess water through the Enamakkal bund, before which water to the extent necessary has to be pumped to the Mullurkayal. Before this pumping is done the bunds under the Parapur bridges have to be put up. As the water has to be pumped in during the first week of Makaram the bunds need be completed only by the first of Makaram. Therefore the bunding need be commenced only in the last week of Dhanu. Now as these bunds are to be put up and the water is pumped into the reservoir by the Government they do not require anything more than a week for each of the two processes as they could and should get ready everything necessary for these processes sufficiently early. Now Sir, if these bunds are actually put up only on the last week of Dhanu the owners and cultivators of the above mentioned 300 and more of mundakan lands can have and will have absolutely no complaint at all, because by then all the Mundakan area will have been harvested.

Point No. 3 can be successfully tackled thus. About 300 acres of Virippu lands are prejudicially affected as a result of these bunds put up under these 3 bridges being not completely removed after the harvest in kole lands is over. It will not be denied that the bund at the western extremity has ever been removed at all. The bund that was put up in 1117 remains there in tact even to day. The bridge in the centre has 3 spans, and the bridge on the eastern side has one span. The bunds in these spans except the central span in the bridge in the centre are removed almost to the level of water. The bund in the central span in the central bridge has been opened deeper than these on either side to a length of 8 feet out of the 15ft. of width of the central bund. There also the whole depth of the bund has not been removed. The result is that even to-day the water in Mullurkayal is not sufficiently drained off. The result of this is that the virippu lands where—on the agricultural opertaions have to be started early in Medam cannot be undertaken in time. This has also the effect of the agricultural operations over the 300—350 acres of mundakan lands being delayed with the result that the harvest thereon is correspondingly delayed with the consequence that the harvest is adversely affected by the rise of water in the reservoir consequent on the pumping in of water thereto. Both these can be successfully avoided by the complete removal of all the five bunds soon after the kole lands are harvested.

Upon the 4th point raised by me namely the utter inadequacy of compensation paid under heads one and two referred to above, it will be admited, Sir, that it is assessed by the Diwan Peishkar on the recommendation o f the subordintte revenue authorities. The Diwan Peishkar, in the very nature of things, cannot personally laok into the whole matter as there are over 300 persons involved in the scheme. My suggestion, Sir, in this behalf, is that the revenue authorities should not be the sole agency for assessing compensation. I suggest that a committee consisting of two members from each of the five villages of Tholur, Edakolathur, Peramangalam, Anjur and Chittalapilly affected by the scheme, the Hon'ble member representing the Mulakunnathukavu constituency where in the lands are situated and the Superintendent of Agriculture and the Chief Engineer with the Diwan Peishkar as President be constituted to fix the compensation.

In this connection it may be remembered that the party dissatisfied with the award of the Diwan Peishkar can take the matter to a court of law. True, there is the remedy. The question is whether a party who in the major interests of the country had been deprived of opportunities of cultivating lands which they were hitherto cultivating to their good will normally go to a court of law with a suit against the Government, and also whether such a remedy is as cheap as it is seen to be considered in some quarters. Suit against the Government is the very last thing that a party aggrieved thinks of. A committee of the sort suggested by me is sure to go a great way to relieve the aggrieved party. The Diwan Peishkar in his turn stands to gain much from this committee over which he presides.

These are the major suggestions of relief that I request the Government may be pleased to sympathetically consider and finally accept.

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With a minor suggestion more, Sir, I shall conclude. The suggestion is only this. If in any portion of the submerged area a party cares to cultivate at his risk and without any the least detriment to the scheme he may be allowed so to do without detriment to the full compensation that he may be entitled to because of the submersion.....

These are the four major suggestions and one minor suggestion that I place before this House, to dispassionately think over and support me if it comes to a division and to sympathetically consider and avoid the necessity of forcing a decision upon this. I have done.

Mr. T. P. Poulose *(Kanayannur):* May I know whether the lands were occupied after giving notice to the parties concerned?

Mr. A. Madhava Prabhu *(Diwan Peishkar):* No written notice is seen to have been given. They were made known through village officers.

Mr. T. P. Poulose *(Kanayannur):* Has there been any dispute from any of the parties Sir, with regard to the correctness of the amount of compensation awarded by the Diwan Peishkar?

Mr. A. Madhava Prabhu *(Diwan Peishkar):* Not with reference to 1118. With reference to 1119 the time is only coming because the award has not been passed. With reference to the compensation for 1118 every amount has been paid. Amounts could not be paid in certain cases on account of disputes with reference to title or the absence of parties here, etc., but so far as the quantum of compensation is concerned there has been no dispute.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* I question that statement.

Mr. T. P. Poulose *(Kanayannur):* Were there agreements between the persons concerned and the Diwan Peishkar?

Mr. A. Madhava Prabhu *(Diwan Peishkar):* There was no agreement. In cases were the parties cannot agree the law providedes for an award by the Diwan Peishkar.

Mr. K. Narayana Menon *(Mulakunnathukavu):* The next cut motion stands in my name. I had also sent up a request this morning for converting it into a token cut.

Mr. Panel Chairman: It has been allowed.

Mr. K. Narayana Menon *(Mulakunnathukavu):* I beg to move to *reduce the allotment of Rs. 409796 under "4-Irrigation—(a) original—Public Works" by Re. 1* and to amend the purpose of the cut motion as follows *"To persuade the Government to modify the working of the scheme"* I have very few points to place before this Hon'ble House in connection with the cut that I am moving. The Hon'ble Member for Vadakkancheri who moved the motion before me has placed all the aspects of the matter before this House and has also given certain constructive suggestion for the consideration of the Government as well as of this House. I may however add one or two points to the remarks that he has placed before this House for the consideration of the Government. I have been agitating this matter from last year soon after the properties were occupied. In some form or other it has been my role to bring this matter before this House and the last but not the least important was the cut motion that I moved last Monday in connection with the award for which supplementary grant was demanded by the Government. It would seem that whatever may be the scientific basis of the conculusion whether it is advisable or not, I am not informed definitely that this is an experimental scheme started by the Government and the experimental stage has to be for three years. I also realise that two long years have been over and only one is continuing for the next year 1120. In that aspect and from what I could understand from the Diwan of Cochin that he has come to the conclusion that it is a desirable and useful scheme, I feel persuaded to press in this House or on the Government to take up a different view whatever may be the difference of opinion that may be held by others. After having then convinced of the fact that the scheme is useful and that is the view entertained by experts though many persons of my constituency do feel otherwise I am persuaded to take the view of the Government as advised by experts in this matter that the scheme may be a useful and potential one at least for the purposes of the food production drive that we have now. I do not propose to subscribe to the theory of the survival of the fittest, That is a bad economic theory. In this particular aspect sacrifice of a few acres for preserving the crops on three or four times the area is certainly conducive to the well being of the State. The only thing that I would press before the Hon'ble House is: that these properties submerged belong to other persons who are equally cultivating tenants and who are equally entitled to the benefits of cultivation. Taking into account that Government by

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certain proceedings are dispossessing of either real or imaginary profits of their property they are bound to convince them of the equity of the award and the rationale behind it. I was told two days back that the Hon'ble Member for Revenue has had for the basis of his award certain registered pattomchits and certain reports by village officers.

It is a well known fact Sir, that this kole area or the kole cultivation is a very risky operation of the agricultural population of the State . . As in all matters attended with risk no lessee will over take a property at a rent which he cannot shellout from his pocket in the event of a total loss. There is another aspect. Most of these kole lands belong to very very big landlords and these persons might have leased out those properties on a nominal rent taking into account the very risky disadvantages of cultivation the great trouble that one hs to undergo to cultivate their properties and the great risk of not being able to reap a single harvest. On these considerations and on considerations of humanity some landlords might have fixed a very low pattam. . Many of these documents I am sure, used by the Revenue Department cannot be documents of yesterday but may be of a few years' standing. To fix the compensation on those properties for the value of the crop that might be raised on that basis, I need hardly submit, is not at all equitable to the tenant and it is worthy of revision . . As for the report of the Revenue officer who might have supervised the crop I am not in possession of facts and figures and I do not propose to expatiate upon that. If these documents had come into being recently some consideration may be bestowed upon them as one of the many data for fixing the compensation. Beyond that I do not believe that any criterion will be of any use in fixing the compensation except it be one of circumstances which have been brought about and from the estimate of the surrounding properties. It is easily said that there are properties then which human beings will not cultivate and it is easier more to say that there is absolutely no loss to anybody. But facts and figures are otherwise. It is easy to inmagine that nobody will prefer a complaint for nothing. In Cochin State people do not complain when there is no necessity. It is my humble request to the Government that the Hon'ble Member for Revenue will take all these complaints seriously and sympathetically, view these matters, seriously, and see what redress can be given instead of holding on his technical line and the evidence of these documents which may or may not be useful. There is one more humble suggestion which I wish the Hon'ble Member for Engineering will take note of. There is a committee now. The Hon'ble Member for Engineering has been pleased to extol them for the useful exploitation of the scheme. I have only to submit, Sir, that it is a committee composed of persons who are to be benefitted by the scheme., the actual cultivators of the property. I may suggest that it is only equitable for these persons who are affected by the scheme. That two or three or any number of them as the Hon'ble Member for Engineering may be pleased to take may also be included in the committee so that the best advice and the best circumstances and timely information may be available to the Department for the working of the scheme. That will be a complete solution for the large number of complaints that are placed in the opening of the canal, the time of pumping, the date on which pumping should be started, etc. All these can be best advised. That also I think will be the best for the purpose. That is a suggestion which I place before the Hon'ble Member for Engineering as a constructive one.

Then Sir, the difficulty of cultivating these single crops into virippu crops, because of the failure of Government to open up there bunds at the proper time. This is a very legitimate complaint. It is only in the fitness of things that as soon as the purpose for which these bunds are put in is over and since the harvest of the kole crops is over they may be opened up thoroughly and to the very bottom of the canal. There is no further purpose to be served. It may possibily be that the next year some more amount may have to be spent. That is no consideration for keeping the bund for purposes really detrimental to agriculture. I again bring to the notice of the Government the three bunds which I was pressing when moving the cut motion on Monday. It is well known to the Government that payments of rent in kind are insisted upon by landlords. This matter was agitated by me on previous occasions and I am sure the Hon'ble Member for Revenue will please remember that this is a matter on which his attention is to be bestowed. Payment to be made to the jenmy must be made payable in money and not in kind as these must be made exempt from the operation of Verumpattam Act so far as these properties are concerned.

I may also submit that it is only reasonable in view of the statistics that have been supplied to this House about the number of suits now pending for non-payment of pattom in kind and for

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such other defaults with respect to these properties may also be ordered to be stayed. The third point is now that the Government have stepped in, it would be rather unconscionable for these persons,—as adverted to by the Hon'ble Revenue Member, they have very often to forego all the pattom as they are to pay all arrears from the beginning of the world—out of this compensation. With these remarks I submit this cut motion for the consideration of this House.

Mr. C. V. Iyyu *(Kunnamkulam)*: Sir, I also support the cut motion I am supporting the cut motion, but I am not for abandoning the scheme. I have already made my point clear when the cut motion was moved on a supplementary grant that the scheme ought to be worked, the scheme is never to be abandoned. I am one of those who congratulate the Government for having taken up the scheme, and I think the Irrigation Board recommended it to the Government. Whatever the losses which the Government found have been incurred by the agriculturists of the areas, whose lands have been utilised for purposes of this scheme, ought to be amply compensated and considering the want of paddy, as the Hon'ble the Revenue Member himself has remarked, even leaving a margin for black-marketing, the compensation should be given very liberally and amply. If there is any possibility of shortening the area thus taken up an additional scheme like the pumping of water on the other side of the Chettupuzha road or on the road from Perimbilisseri to Ammadam may be gone into. All these things have also to be taken into consideration and must be executed for the benefit of the ryots and for the benefit of the kole cultivators. If by the taking up of the scheme any of the mundakan crops will be flooded, that question also has to be very carefully gone into and if necessary many of the acreage coming under mundakan crops may be taken on lease by Government and re-leased for those agriculturists who want to take it on a lower or higher lease. That also may have to be taken into consideration in paying up the compensation and satisfying the complainants. I may also add for the information of this House that from a responsible revenue officer who is no less a person than the Deputy Tahsildar of Chowghat who visited the scheme in last January, they are themselves thinking of an identical scheme on the British territory on the other side or thinking of co-operating with our Government to make it a still more success for preventing drought in the British area also. On any ground and any principle, and also in the interest of larger area of food production and for the safety of the kole crops, the scheme must be continued I think till at least the food scarcity trouble is over. I hope the Government also will consider the difficulties arising due to the bund being not opened at the proper time, or opened up earlier for the benefit of the contractor for taking in water—all these may be done in the interests of the ryots. A committee as suggested by the Hon'ble Member for Mulakunnathukavu, if it seems to be useful—I don't think it is a bad idea—it will be a useful idea as far as I am concerned—the Government may consider that aspect also and constitute a committee of official and non-official members, consisting of expert members, as the Member for Anthikad and other agriculturists who will be benefitted by this scheme, and make this scheme a complete success for the benefit of all concerned.

* മിസ്റ്റർ സി. എൻ. ഇട്ടിരവിനമ്പൂതിരിപ്പാട്: മിസ്റ്റർ പ്രസിഡണ്ട് സർ, എനിക്ക് ഈ ഉപക്ഷേപത്തിൽ എതാനംഭാഗംമാത്രമായിട്ട് അനുകൂലിക്കുവാൻ നിവൃത്തിയില്ല. സാധാരണ ഇങ്ങിനെയുള്ള തെറ്റുകൂം കണ്ടുപിടിക്കുന്ന ആളുകളേയുംകൂടി ഇതിന്റെ കമ്മിറ്റിയിൽ എടുത്തിരുന്നുവെങ്കിൽ പിന്നെ തെറ്റ ഉണ്ടാവുകയില്ലായിരുന്നു. ബഹുമാനപ്പെട്ട മുഖ്യമന്ത്രികാവു് മെമ്പറേയുംകൂടി ഈ കമ്മിറ്റിയിൽ എടുക്കേണ്ടതായിരുന്നു. പിന്നെ ബഹുമാനപ്പെട്ട വടക്കാഞ്ചേരി മെമ്പർ പറഞ്ഞ കാര്യത്തിന്നു് ഇതൊന്നുംപോര. ഓരോ വസ്തുവിന്നും ഓരോ കമ്മിറ്റിയെ വെക്കുകയാണെന്നുണ്ടെങ്കിൽ അവരവരുടെ വസ്തുവിന്നു് വേണ്ടതൊക്കെ സൌകര്യമായി ചെയ്യാമായിരുന്നു. ഈവക സംഗതികളൊക്കെ തീരുമാനിക്കുന്നതു ഒരു അനുദ്യോഗസ്ഥ കമ്മിറ്റിതന്നെയായിരുന്നു. ഇനി ഇങ്ങിനെയൊന്നും പോരായെന്നുണ്ടെങ്കിൽ അതിന്റെ തീരുമാനത്തിന്നുവേണ്ടി കോട്ടിൽ പോവുകയും ചെയ്യാം. ഇതിനെപ്പറ്റി ഇനി കൂടുതലായി ഒന്നും പറയേണമെന്നു് എനിക്കു തോന്നുന്നില്ല.

*മിസ്റ്റർ കെ. എസ്സ്. പണിക്കർ: സർ, ഈ സ്ഥലംപോയികണ്ടു് എനിക്കു നല്ല പരിചയമുള്ളതുകൊണ്ടാണു് ഞാൻ ഇതിനെസംബന്ധിച്ചു രണ്ടു വാക്കു് പറയുവാൻപോകുന്നതു്. ഒരു വക്കാലത്തിന്റെനിലയിൽ സംസാരിക്കണമെന്നു് ഉദ്ദേശിക്കുന്നില്ല. ഇതിനെ സംബന്ധിച്ചുള്ള ഒരു എവാർഡ് ഇപ്പോൾ അനുവദിച്ചിട്ടുള്ളതു് വളരെ കുറഞ്ഞ സംഖ്യയാ

*Speech not corrected by the hon'ble member

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ണെന്നു് കേട്ടു. ഞാൻ അവരുടെ കൃഷിയും കണ്ടിട്ടുണ്ടു്. ആ സ്ഥിതിക്കു് ഈ സംഖ്യ തീരേ പോരാത്തതാണു്. പക്ഷെ അതിനു സംഖ്യ നിശ്ചയിക്കുവാൻചെന്ന ആളുകൾക്കു് ഉദ്യോഗസ്ഥന്മാരുടെ മുമ്പാകെ ഇതുവരെ വേണ്ടവിധത്തിലുള്ള തെളിവുകൾ ഹാജരാക്കുവാൻ സാധിച്ചിട്ടില്ല. ചില മാമൂലുകളെല്ലാം ഉണ്ടു്. ഈ തെളിവുകളെല്ലാം ഹാജരാക്കിയിരുന്നുവെങ്കിൽ കൂടുതൽ സംഖ്യ കിട്ടുമായിരുന്നു. എന്നാൽ എനിക്കു് ഇതിനെ സംബന്ധിച്ചു് പ്രധാനമായി പറയുവാനുള്ളതു് ഈ വെള്ളം കയറിനിറ്റുവാനുള്ള അധികം സ്ഥലങ്ങളും കുടിയാന്മാരുടെ കൈവശം ഇരിക്കുന്ന ഭൂമികളാണു്. ഇങ്ങിനെയുള്ള സ്ഥലങ്ങളിൽ നിന്നു ഈ വെമ്പാട്ടുകുടിയാന്മാക്കു് എന്താദായമാണു് ഉണ്ടാകാൻപോകുന്നതെന്നു് ഞാൻ ചോദിക്കുന്നു. ജന്മികളുടെ കയ്യിൽനിന്നും പാട്ടത്തിനെടുത്തിട്ടുള്ള ഈ നിലങ്ങളിൽനിന്നു് അവക്കു് യാതൊരു ആദായവും കിട്ടുന്നില്ലെങ്കിൽ അതിൽപരം കഷ്ടം മറെറന്താണുള്ളതു്. ജന്മിക്കു കൊടുക്കുവാനുള്ള പാട്ടംകഴിച്ചു് കുടിയാന്നു് എന്തെങ്കിലും കിട്ടണം. രണ്ടാമതു് പത്തോ പന്ത്രണ്ടോ പറക്കുള്ള ഭൂമി മാത്രം കൈവശമുള്ള ഒരുത്തനു് അതിൽനിന്നുണ്ടാകുന്ന നെല്ലിനു് ഗവമ്മെണ്ടിൽനിന്നും വിലകൊടുത്തുകഴിഞ്ഞാൽ അവർപിന്നെ റേഷൻകാർഡുപ്രകാരം അരി വാങ്ങിക്കണം. അവൻ വളരെ കഷ്ടപ്പെട്ടു കൃഷിചെയ്തെടുത്ത നെല്ലുകൊണ്ടു് ര ദിവസമെങ്കിലും അവനു കഴിക്കുവാൻ പാടില്ലെന്നു പറയുന്നതു് വലിയ കഷ്ടമാണു്. ഇങ്ങിനെയുള്ള കൃഷിക്കാക്കു പകുതിനെല്ലായിട്ടും, പകുതിനെല്ലിനുള്ള സംഖ്യയും കൊടുത്താൽ തരക്കേടില്ല. ഈ വെമ്പാട്ടുകുടിയാന്മാക്കു് കൊയിത്തുകാലത്തു് അവരുടെ പ്രയത്നത്തിന്റെ ഫലം ഒരുമിച്ചു കിട്ടുമെന്നുള്ള ഒരു സംതൃപ്തിമാത്രമാണു് അവക്കുള്ളതു്. അതിനുംപുറമെ വൈക്കോൽ, കൊയിത്തുപതമ്പു് മുതലായതെല്ലാം കിട്ടുമെന്നുദ്ദേശിച്ചാണു് ഈ സാധുകുടിയാന്മാർ കൃഷിചെയ്യുവാനുദ്യമിക്കുന്നതു്. ആയതുകൊണ്ടു് ഈ പ്രതിഫലം കിട്ടുന്നതിൽ പകുതിനെല്ലും, പകുതി സംഖ്യയുമായിട്ടു കൊടുക്കുക. ഈ സ്കീം ആവശ്യമാണെന്നുള്ളതിനു യാതൊരു സംശയവുമില്ല. ഈ സ്കീം ഭോക്ഷമാണെന്നു തോന്നുന്നതുവരെയും നിലനിത്തിപോകേണ്ടതാണു്. ക്ഷണക്ഷാമം നാട്ടിൽവരാതെയിരിക്കുവാൻ കൃഷി ധാരാളം വിപ്പിപ്പിക്കേണ്ടതാണു്. "ഒരുത്തനെ കളഞ്ഞൊരു കുടുംബത്തെ രക്ഷിക്കേണം, കുടുംബത്തെ കളഞ്ഞൊരു രാജ്യത്തെ രക്ഷിക്കണം" എന്നുള്ള തത്വത്തെ ഓർത്തിട്ടെങ്കിലും ഈ കാര്യത്തിൽ എന്തെങ്കിലും ചെയ്താൽ തരക്കേടില്ല. അതുകൊണ്ടു് ഞാൻ ഈ ഉപക്ഷേപത്തെ അനുകൂലിക്കുന്നു.

മിസ്റ്റർ ടി. പി. പൌലോസ്സ്: ഈ പാട്ടശീട്ടിലുള്ള പാട്ടംമാത്രമാണൊ കോമ്പൻസേഷനായിട്ടു കൊടുക്കുന്നതു് ?

മിസ്റ്റർ എ. മാധവപ്രഭു: അല്ല.

മിസ്റ്റർ കെ. എസ്സ്. പണിക്കർ: അങ്ങിനെയാണു കൊടുക്കാറുള്ളതു്.

മിസ്റ്റർ എ. മാധവപ്രഭു: അതറിയാൻവേണ്ടി ഇങ്ങിനെയൊന്നും ചോദിച്ചിട്ടു ആവശ്യമില്ല.

മിസ്റ്റർ ടി. പി. പൌലോസ്സ്: ശരിയായിട്ടല്ല കൊടുത്തുവരുന്നതെന്നു് ഇവിടെ പറഞ്ഞു.

മിസ്റ്റർ എ. മാധവപ്രഭു: ആരു പറഞ്ഞു?

മിസ്റ്റർ ടി. പി. പൌലോസ്സ്: ചില മെമ്പർമാർ ഇവിടെ പറഞ്ഞു.

മിസ്റ്റർ എ. മാധവപ്രഭു: ഞാൻ ഇവിടെ കൌൺസിൽ ചോദ്യത്തിന്നാണു് മറുപടി പറഞ്ഞതു്. അല്ലാതെ ഇതിനെപ്പററി ഒന്നും പറഞ്ഞില്ല.

Mr. T. P. Poulose *(Kanaynnur):* How is it calculated? We, members coming from this part of the State do not know what exactly is the situation. That is why we want to know that.

Mr. A. V. Moothedan *(Chalakkudi):* Let us know what is the method of calculating compensation.

Mr. A. Madhava Prabhu *(Diwan Peishkar):* The method of awarding compensation so far as the crop is concerned, is by assessing the value of the crop as it stands.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* And in cases where the crops do not stand?

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Mr. A. Madhava Prabhu *(Diwan Peishkar):* What it would have yielded, if it was raised.

Mr. A. V. Moothedan *(Chalakkudi):* In cases where there is no standing crop, what is the methed ?

Mr. A. Madhava Prabhu *Diwan Peishkar):* By considering what it would have fetched judged from previous experience. That is the only possible course.

* **Mr. A. V. Moothedan** *(Chalakkudi):* Sir, I wish to add a few words to the long and elaborate discussion on the subject. I do not know much of the place mentioned as I am coming from a southern taluk. Regarding the committee suggested by the Hon'ble Member for Vadakkancheri, I think for the working of this scheme, local experience and expert knowledge of agriculture is all necessary and a non-official advisory committee is a very good idea and I would suggest that for the working of the scheme, it would be helpful, because many details will have to be gone into for the working of the scheme. For efficiently supervising all these details and for giving timely advice, a committee consisting of the Hon'ble Members for Vadakkancheri and Mulakunnathukavu and the Hon'ble Member for Anthikad, these three members, and the local Panchayat President, I think Mr. Varappan, and the Assistant Engineer these five gentlemen may be appointed as an advisory committee to advise the Government from time to time about the wroking out of this scheme, so that the least harm may be done. It is not possible to discuss all such details here. I am not in a position to criticise or verify the correctness of these complaints.

Then regarding the compensation what I submit is the State should be very liberal in a matter like this, especially when the people are very much aggrieved. That is a salutary principle. Why should the Diwan Peishkar be not paying properly. The Diwan Peishkar is not paying out of his pocket. There is the Treasurer, the Comptroller, and he will be giving funds.

Mr. A. Madhava Prabhu *(Diwan Peishkar):* Please reserve judgment until you hear.

* **Mr. A. V. Moothedan** *(Chalakkudi).* There is no question of State-ownership and such other things. So you need not be so very anxious. The whole State belongs to the people. We are also a part of the State. So Government should pay very liberally. That is the principle that ought to be applied.

I heard one complaint. I do not know whether it is true. I was told by some persons who have got local knowledge that in the matter of payment of compensation to adjoining fields, a distinction is made. The land tax is the same and the assessment is the same, but the compensation paid is different.

Mr. A. Madhava Prabhu *(Diwan Peishkar):* Have you not got the experience of two adjoining properties yielding differently in your own place ?

* **Mr. A. V. Moothedan** *(Chalakkudi):* If there is no crop, the question of assessing the yield may be a problematical one. Therefore when there is no sure data , we should be guided by the land tax. The land tax is fixed by taking into account the yield of the property and a portion of the yield is given to the Sirkar as land tax. You have fixed a certain percentage of the yield as the land tax. In the case of adjoining lands assessed to the same tax, I do not know the reason why the Diwan Peishkar should make a distinction in the matter of the compensation. In 1094 according to the Settlement Proclamation, lands have been classified into certain classifications. If lands belong to the same class, the same tax is levied and.....

Mr. T. A. Ramachandra Ayyar *(Nellayi):* The level may be different.

Mr. A. V. Moothedan *(Chalakkudi):* But the yield will be more or less the same. According to the Settlement Proclamation, no difference was made in the matter of tax.

Mr. A. Madhava Prabhu *(Diwan Peishkar):* The parties concerned were given an opportunity to make representations in the matter.

* **Mr. A. V. Moothedan** *(Chalakkudi):* There is no question of not being given an opportunity of proving their claims. The other day the Advocate-General was saying that they could refer the matter to a Court of law and that a case is pending in the District Court. But, Sir, in this matter, it is not a case of one party. 300 persons are involved and therefore the Government should be pleased to settle the matter in a satisfactory manner, to the good of all concerned. I do not say that the Advocate-General is wrong in saying that or that he was

* Speech not corrected by the Hon'ble Member.

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not strictly legally correct. But it should be the policy of the Government to see that when so many people are involved, maximum satisfaction is given. Therefore, that argument of the Advocate-General is not pertinent at this stage. It may be alright at a future stage, but at this stage I don't think the argument holds good. With these few words, I request the Diwan Peishkar to reconsider the whole scheme with a view to give better satisfaction to the people.

* **Mr. K. T. Achyuthan** *(Ezhuvas-Talapalli)*: Sir, at first I have to congratulate the Government for starting this scheme. After having the speeches of some of the Hon'ble Members, I find that the only grievance is that the compensation was not very liberal. In fact, all the aspects of the question have been dealt with in detail and as far as I can see, the Government should see that the grievance about compensation should be set right, and especially in the case of those owning small plots of land, the compensation should be very liberal. The parties who are not able to cultivate their plots must be feeling very much when they see that the parties on the other side are raising crops. They will be raising paddy and selling paddy.

Mr. C. V. Iyyu *(Kunnamkulam)*: They will also be blackmarketting paddy.

* **Mr. K. T. Achyuthan** *(Ezhuvas-Talapalli)*: This aspect of the question should also be taken into consideration by the Diwan Peishkar in paying compensation.

I have only one more suggestion to add. Among the 300 and odd tenants who have been dispossessed of lands, there will be some who may not own any lands at all in other places. Therefore the Government will do well to see that they are given some plots on the other side of the bund. At least the big jenmies like Chelur and Chittur should find it possible to give some plots of lands to these tenants who have been dispossessed so that they can grow crops. They will pay the pattom to the jenmi and realise for themselves the balance. If that procedure is possible, the people who are left without any land, will be very much benefitted. I think the Government will take note of that fact also.

***Mr. V. K. Bhaskara Menon** *(Cranganur)*: Sir, It is rather difficult to understand what exactly the motion upon which this House is asked to pass its verdict. There are two motions both of which aim at dropping the scheme, but there seems to be a compromise, accepting the scheme and offering suggestions, and among the suggestions one suggestion is a committee for the proper working of the scheme and another for the proper payment of money. So that, the point is, what exactly is this House to decide ? If the House is to decide whether the committee should be appointed as regards the payment of compensation, I emphatically object to that arrangement, because it has been suggested by the Hon'ble friend who just preceded me that compensation should be paid for the working of the mind also. If the principle of paying compensation for the feelings that take place in one's mind is adopted I think the Government will have.....

Mr. K. Narayana Menon *(Mulakunnathukavu)*: Sir, Without interruption, I may ask whether the Hon'ble member is aware of payment of solatium.

Mr. V. K. Bhaskara Menon *(Cranganur)*: I am aware of ever so many other things; more than what the Hon'ble member is aware of. I am not concerned with other people's awareness.

It is a startling proposition to dole out money.....

Mr. K. Narayana Menon *(Mulakunnathukavu)*: Don't lose your temper.

Mr. V. K. Bhaskara Menon *(Cranganur)*: I am not losing my temper. If you want to be humorous, I don't mind. I can reply.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: You have not followed the discussion. You have only hearsay information. Unfortunately, you are not in possession of first-hand information.

Mr. V. K. Bhaskara Menon *(Cranganur)*: You have been unfortunate always. I cannot make you fortunate.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: Nor do I court it at yonr hands.

Mr. V. K. Bhaskara Menon *(Cranganur)*: I am serious.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: You are only serious without understanding the proposition, I am constrained to remark, Sir.

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* Speech not corrected by the Hon'ble Member.

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Mr. V. K. Bhaskara Menon *(Cranganur):* You have been throughout constrained about many things.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Because I have been in very bad company.

***Mr. V. K. Bhaskara Menon** *(Cranganur):* I am absolutely against any committee to pay the compensation money which the Government has to pay for acquisition of lands. It is a most startling proposition and the arguments advanced for the appointment of a committee to assist the Diwan Peishkar to pay money seems to be something which has no basis whatever.

As regards the other committee suggested by the Hon'ble member for Mulakunnathukavu, Sir, for a purely technical scheme the man best fitted to attend to it will be a technical man, but in place of a scheme formulated and shaped by a technical man, a scheme formulated by a non-official committee is to take its place. I am against any such committee, because it will never be efficient and it will affect the efficiency of the scheme, and as such I am against either of these two committees. If there are any difficulties, I am absolutely sure that the Government will see to solve them, and in view of that assurance I think we have to be contended.

***Mr. V. K. Aravindaksha Menon** *(Chief Engineer):* Sir, after listening to the discussion on the question of the Mullurkayal scheme, I am really gratified to note that the general concensus of opinion of the Hon'ble members of this House regarding the scheme is that it should be taken up next year. The only modification is that we ought to be helped by a committee for the proper regulation of water in the Mullurkayal storage. Not only that I have no objection to the committee, but I would be the first man to welcome such a thing and I shall be glad to choose from among the ryots of the Mullurkayal area such of the people who are willing to serve on the committee to help us in this matter.

Four points were specifically raised by the Hon'ble mover of this cut motion with regard to this Mullurkayal storage. The first one is that about 608 acres of land will be affected by the scheme and will not be useful for raising any crop. This is partially true. This year we have taken 608 acres of Kole Lands for the purpose of storage of water. Of these 608 acres, I may inform that about 315 acres are now being cultivated as Kuttadan, so the real loss to the State in the matter of paddy crops is not to the extent of 608 acres. It is less by 315 acres. I think that if a little more effort is made much more than 315 acres can be cultivated with Kuttadan crops.

Then the second point which the Hon'ble member raised was that 315 acres of Mundakan crops were adversely affected. Sir, on this point there seems to be some difference of opinion. The damage to these 315 acres of Mundakan crops was because that there was more water in those lands than was necessary for the crops. I checked up the level of the water in the Enamakkal lake for a series of years. The House knows that the pumping in the Kole lands starts by the beginning of Dhanu or the end of Vrischigam and the water level rises in the kole lands from the moment the pumping is started. In 1119 on account of the regulation of shutters in the Enamakkel Lake the water level in the lake was kept lower than what it used to be in olden days. As a result the water level in the Enamakkel lake was lower by about 6 or 8 inches than what it used to be on the days of 25th and 26th Dhanu in previous years. The level of water in the Mullurkayal lake was at the time when it was supposed to be harmful was about 6 inches more than the level of water in the Kole lands.* So in effect the level of water in the Mullurkayal land was nothing more than what it used to be in previous years. So I do not agree with the contention that about 315 acres of Mundakan lands were adversely affected on account of the scheme. If it had been affected, it would have affected even otherwise. Even if the scheme had not been started, the level would be the same as it used to be in the years 1117, 1116 and 1115.

The third point raised was that about 300 acres of Viruppu lands were adversely affected. The reason for that is that some bunds were put up across the bridge openings on the enbankment and these were not removed. As a result water headed up on the Mullurkayal side and damaged the Viruppu crops. From my experience I may say that this is simply an argument which is without any foundation. I checked up the levels of the Mullurkayal area during this monsoon season and I found that there was very very little heading up of water on either side of the Mullurkayal embankment. There was a meeting at the Diwan's House in Ramanilayam, Trichur, when a deputation came to meet the Diwan on the same question. There also this

*Speech not corrected by the Hon'ble member.

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question was raised and after that I sent my Assistant Engineer to check the difference in water level on either side of the embankment and if there be any difference at all to remove that obstruction immediately. He wrote to me a D. O. the next day saying that the difference is only about three-fourths of an inch on either side of the embankment which is so very small.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* What is the extent of the area on the southern side?

Mr. V. K. Aravindaksha Menon *(Chief Engineer):* 12,000 acres.

Even if all the obstructions on the bridge have been taken away the difference you gain would have been only about ¾ of an inch. Even if the whole embankment is taken away the difference would not be more than three-fourth of an inch. So that the opening of the embankment is not the criterion. The criterion is what is the difference on either side of the obstruction. If the difference is large then this vent-way is restricted, if not the vent-way is not restricted. The simple fact shat some of the openings have been closed does not mean that effective openings have not been given. But I told the Assistant Engineer, in any case it appears to be a psychological satisfaction and so I asked him to open all the bridges now and hereafter also.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Has he reported that he has done this?.

Mr. V. K. Aravindaksha Menon *(Chief Engineer):* He told me that he is doing this.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* He might have done something just to obey orders.

Mr. V. K. Aravindaksha Menon *(Chief Engineer):* Then I will check it again. He does not gain anything by not opening it.

Mr. K. Narayana Menon *(Mulakunnthukavu):* Is the Government gaining anything.

Mr. V. K. Aravindaksha Menon *(Chief Engineer):* It is a question of not doing a thing which is absolutely unnecessary.

The fourth point is about the compensation. I believe the revenue Member will give a satisfactory answer with regard to that. Again I repeat that I shall be very glad to have a committee to help me in this matter and I think also that it will be a very good addition to this organisation.

Mr. A. Madhava Prabhu *(Diwan Peishkar):* I just supplement the answer given by my friend the Member for Engineering. A narration of the events from the time when the experiment was launched is necessary to understand the basis of the present agitation and therefore I propose to travel back to the time when we started the working of this scheme. This was started last year, that is in the year 1118, by closing the vent-ways in the Mullurkayal bund. That was the first thing that was done. When that was done there was the complaint that the crops which were ready for harvest at that time were damaged. That was, I think, during the Vrischigam session of the Council when we were here. Investigations were made as to whether those complaints were really true and it was found that to some extent those complaints were true. The vent-ways were closed so early with the object of storing as much water was necessary for the purpose of working the scheme. Then awards for compensation were drawn up and compensation was given. Now before drawing up awards for compenstion, the parties were given notice asking them to show what exactly would be the compensation they would seek for their lands having been submerged under water and for their harvests having been spoiled. I make special mention of these two categories because it is necessary to keep them in mind to understand what has taken place since. One category of lands consists of those which are completely submerged, *i.e.*, kole lands which are not cultivated, for which we have to give compensation for not enabling them to cultivate. The other is the area of Mundakan lands in some portions of which Kuttadan also was raised, the harvest of which is more or less simultaneous with the harvest of the Mundakan crop, which crop was damaged by the early closing of the vent-ways. For that, what was to be paid was damages for damaging the crops. These two were actually assessed after hearing the parties, after looking into all the evidence which was produced by them and also from information gathered by local investigation. Awards were passed and amounts were paid. Those who did not come and receive the amounts and those who could not satisfy the conditions of the award—their case is entirely different. That does not touch the question of the quantum of compensation. Not a single one has made a request for reference to Court. You can judge from that whether the compensation awarded was ample, liberal or stingy.

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Now the second year commenced. The working of the first year of the scheme was completed in 1118. We learned certain things from the first year's experience and some of these I will repeat now. The first thing that we learned was it was not necessary to close the vent-ways so early and damage a portion of the crops, that is about 300 acres. If we close them later but pump in water from the 12,000 acres so that the level of the water may be raised, we will gain one thing, and we need not pay compensation for damages to the 300 and odd acres, where harvesting could be successfully done. That is in the case of Mundakan and Kuttadan crops, where crops were damaged in the previous year, we thought we could save them this year and achieve our object by resorting to this process. That is one thing which we learned from experience and we resorted to that. Even then there was one thing necessary. The closing of the vent-ways had to be undertaken a little earlier than the pumping was undertaken.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: When was it done in 1119.

Mr. A. Madhava Prabhu *(Diwan Peishkar)*: I do not exactly remember the date. I can give you the English date but I do not know the corresponding Malayalam date.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: Give us any date, English or Malayalam.

Mr. A. Madhava Prabhu *(Diwan Peishkar)*: The English date must be the 2nd week of December.

I am not the person who did it. There are records to show the date and so do not take my word as the correct information upon that. Mine is only heresay information.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: We want to know definite information on a most important issue as to when exactly in 1119 the vent-ways were closed. We do not want to have heresay information. Such a sort of shelving will not solve the issue.

Mr. A. Madhava Prabhu *(Diwan Peishkar)*: It need not solve the issue.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: So far as I am concerned it is a very important point.

Mr. A. Madhava Prabhu *(Diwan Peishkar)*: It may be important to the Hon'ble Member. But the date is not so very important to us. We thought the other things excepting the date would be naturaly sufficient.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: I want the information not from the Revenue Member, I want the information from the Government.

Mr. A. Madhava Prabhu *(Diwan Peishkar)*: It was after the north-east monsoon.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: I put a pointed question to get the information on a very relevant issue. The Government stand condemned in the eyes of the public. I put a relevant question on a matter raised so many days ago. What a sort of shilly shally method?

Mr. A. Madhava Prabhu *(Diwan Peishkar)*: Now that was done at an early stage before the pumping operations were actually begun. When these vent-ways were closed the flow of water from that area was stopped, as a natural consequence. What was the level at which water stood at that time is the question. On that point the Chief Engineer has stated that it was never higher than the level at which water used to stand in previous years. It was the same if not lower than the level in previous years at that time. Therefore is the Government or the working of the scheme responsible for the level of water at that time. What is it that the intervention of the scheme had done. What the intervention of the scheme did was this much, that the level was kept there for about a week between the time when the vent-ways were closed and the time when the harvest was completed. Even at that time the harvest was begun in certain portions. It had progressed sufficiently.

Mr. K. Narayana Menon *(Mulakunnathukavu)*: May I know, whether the Government has got records to show what the level of water in the Mullurkayal area was in the previous years; I am not referring to the Enamakkal lake.

Mr. V. K. Aravindhaksha Menon *(Chief Engineer)*: It was the same as the water level at the Enamakkal lake.

Mr. A. Madhava Prabhu *(Diwan Peishkar)*: Water finds its level.

Mr. K. Narayana Menon *(Mulakunnathukavu)*: Apart from the scientific theory that liquids find their level I want to know whether there are any records to show what the water level at that particular bund at Mullurkayal was.

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Mr. V. K. Aravindhaksha Menon *(Chief Engineer):* We have got records to show the water level on every day at the Enamakkal lake for a series of years.

Mr. K. Narayana Menon *(Mulakunnathukavu):* But is that the same in the Mullurkayal area also.

Mr. V. K. Aravindhaksha Menon *(Chief Engineer):* That is the same.

Mr. A. Madhava Prabhu *(Diwan Peishkar):* Therefore it was thought that it was not necessary to give any compensation. No damage was done to that portion of the crops due to this scheme. For the other we are bound to give and we are going to give. If that is so, where is the reasonable ground for the complaint. The only ground that we can imagine so far as the complaint is concerned is this. With reference to the area where the crop has been raised they got something last year because the crops were really damaged. This year the crops were not damaged to the extent to which they say that they have been damaged, and it was not due to the working of our scheme. The water level this year was the same as in previous years. We did not raise the level of water on account of our action. Therefore we are not bound to give any compensation. That is the position taken up. In certain fields the harvest was not completed but in others harvest was actually over. That is the real situation. With reference to the other areas which had been completely submerged, we are going to give compensation as in last year. Then why this complaint this time.? I want to trace the history of this complaint. The complaint comes only now. The complaints never came when the compensation for 1118 was assessed and paid. Then everything was alright.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Question.

Mr. A. Madhava Prabhu *(Diwan Peishkar):* Complaint did not come till now. Then what is the ground. The ground is simply this. We now issued notices as we did last year saying that such and such lands of yours have been used for the scheme, compensation has to be paid for these and you are called upon to file your claims for compensation. In that notice we scored out certain survey numbers in the case of those who held lands in both the categories, in the category of lands which are all surbmerged and the category of lands which are not submerged but where crops were raised and harvested in last year. Then they thought we are not giving anything for what we gave last year. Necessarily therefore that is the ground for the complaint. We have only to explain to them this situation, why these survey numbers were scored off. A question was raised the other day. The two Hon'ble Movers appeared before the Diwan, there was a conference to which we were also called and the matter was more or less to some extent discussed though not in the way in which it was thrashed out here. It was more or less in all material aspects discussed before the Diwan. That is to say those lands for which we do not propose to pay any compensation, the proposal was put why not they also be paid some compensation for the damage which may be assessed. I said I shall take a note of it. Then Mr. Narayana Menon gave me a list of persons whose names were struck off. I took these names and have sent them for verification so as to see whether these lands belong to the category of lands for which we are going to give full compensution. We have yet to come to a decision. We have not made any recommendations to the Government. Apart from the oral discussions, no written orders have been passed. This matter will again be considered and a report submitted to Government. That is the stage at which matters stand now. The complaint is with regard to these survey numbers which got compensation last year and which have been struck off this year. I will again consider that question; I heard somebody saying that if some evidence was placed before the village officers their name would have been in the list of persons eligible for the compensation. I may say for the information of the House that nobody had approached me with any evidence.

Now coming to the point. That related to the year 1118. The compensation to be assessed for the year 1119 has not yet been assessed. My submission to the House is that it is not the method of payment of compensation or the quantum of compensation that is complained of but that those people who got compensation last year for actual damage of crops should also be given something even though such damage has not been done this year. Some damage according to them has been caused for the crops and in short they want to be compensated for that. They think that if they make a big noise about it we might be inclined to give them something. Apart from the question of making big noise over this matter there is nothing in principle. Last year they got the compensation. This contrast is very very important. Last year the crop was over by Makaram and everybody took their paddy to their houses. They could have the full benefit of that paddy but now the rationing system has come and every one of those who could and would

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have harvested the paddy are now derived of a portion of that. They will not be classed as agriculturists and they won't get the ration as agriculturists if they are unable to harvest the crop. That means they are completely deprived of that benefit. ' This is the contrast between the conditions prevailing this year and those prevailing last year and it is really that that is at the bottom of these things, and not want of liberal mind in the Diwan Peishkar in giving the compensation which fact can be judged without any other consideration than this. Did a single individual to whom compensation was given in 1118 go to the court and say that the compensation that was awarded by the Diwan Peishkar to him was not sufficient ? I said the other day there is one man who has gone, but that is not on account of this but it was on account of the fact that other persons also claimed a share in the compensation that was given to him and that matter went to court and incidentally he has raised this question also. So far as this year's award is concerned it is too early to say what exactly will be the quantum of compensation. Since the point has now been raised, it will be seriously considered. If anybody wants to give any evidence as was done last year to show that he is seriously aggrieved and ask for a hearing I will post the case to any day and take in evidence. But I cannot consent to any committee for assessment of compensation being constituted, because, that will be, apart from the legality or otherwise creating a very bad precedent. We are having ever so many awards passed every year—this year I have already passed 377 awards by now. Every man would say that this property may be valued by his neighbours because they know better about the conditions of the property, what the pattam is, what the yield is and such other things.

For these reasons and in the light of the explanations given, I hope that the motions will not be pressed.

Mr. K. Narayanan Menon *(Mulakunnathukavu)*: May I know, whether in any of these 300 and odd awards passed by the Diwan Peishkar such a large number of persons were involved.

Mr. A. Madhava Prabhu *(Diwan Peishkar)*: There were awards in which more than 300 tenants were concerned. I acquired more than 467 acres in the Venduruthy Island and I paid 19 lakhs of rupees as compensation and not a single case was taken to the court. In fact I paid much more than what they could otherwise have got. A whole village was acquired.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: Mr. Chairman, having obtained the permission of the Hon'ble Chair to convert an omission cut into a token cut with the object of not giving up the scheme but suggesting to the Government certain proposals to lessen the hardships caused by the inevitable scheme, wherein I gave four major suggestions according to me and a minor one, I find that the minor one is completely ignored and no reply is given. With regard to the four major points a sort of reply has been attempted and one of the Hon'ble Members on the Government side who replied is seen to be taking pride in that as far as the Venduruthy reclamation awards are concerned everybody is satisfied. I ask the question Sir, whether it is an answer to the feelings of the people, to the monetary losses of the people affected by the Mullurkayal scheme.

Mr. A. Madhava Prabhu *(Diwan Peishkar)*: It was not given as an answer to a point raised by the mover but as a reply to the question put by another Hon'ble Member.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: I was not prepared Sir, to listen to a reply from the Government side in that irresponsible manner. No, certainly not.

An explanation is forthcoming which has nothing to do with the motion. Then why refer to it at all.

Mr. A. Madhava Prabhu *(Diwan Peishkar)*: You must ask your friend.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: I can insist on a proper reply for a very important point raised. I was surprised, Sir, that the paid Treasury Benches, the heavily paid Treasury Benches of the Government of Cochin have not been able to give me an answer to a pointed question as to when exactly, after learning from the experience of 1118, on what date, either English or Malayalam, the vent-ways were closed this year.

Mr. V. K. Aravindaksha Menon *(Chief Engineer)*: We did not think that the exact date was of so much importance. We have got the records, but I have not got them here now. What is more important is the level of the water in the area. That we can give to two decimal places.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: I again repeat my charge Sir, that to the question put pointedly as to when exactly the vent-ways were closed this year after learning from the experiences of 1118, that question remains still unanswered. I shall immediately show you, Sir, the importance and relevancy of that date. If you had followed the suggestions made

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and cared to reply to them properly you would have found the necessity for that date; because with regard to the adverse effect upon 300 to 350 acres of Mundakan lands, the date of the closing of the vent-ways and the putting up of the bunds and the date of the pumping in of water, these are relevant facts. Because Sir, from the very nature of things if the Diwan Peishkar had taken pains to study the map that was prepared by the private party and perused by him he would have been pleased to find—if he had the mind to do it—that the complaint with regard to the area is that because of the earlier bunding up of these vent-ways and because of the raising of the level of water in the Mullurkayal to a height of 8 feet as admitted by the Government.

Mr. V. K. Aravindaksha Menon *(Chief Engineer)*: 8 feet?

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: Yes Sir, the depth of water stored in the Mullurkayal is 8 feet is the answer given by the Hon'ble Member for Public Works and that will be seen from Part 10 of the Budget Proceedings of 1118.

Mr. V. K. Aravindaksha Menon *(Chief Engineer)*: The height of water was reached after pumping. But it is nowhere near the date on which the bunds were closed.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: I was sumbitting to this House Sir, that the date of bunding in the first instance before pumping in is relevant, the date of the pumping in and the completion of that process is again relevant in considering the question of damages to the Mundakan crops standing on about 300 to 350 acres bordering this completely submerged area not cultivated.

Mr. V. K. Aravindaksha Menon *(Chief Engineer)*: We thought that the most relevant point is the height of water in the fields during the year and not the date of bunding.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: Repetition, certainly, is no argument, Sir. Thrice has it been stated by the Hon'ble Member for Engineering that the relevant point is the level of water and not this. The person who contends for the position lays an emphasis upon the date and his attempt is to prove the importance, the necessity, the relevancy of the date. It is no reply to say that that is not the relevant thing and the level is the relevant thing. That is repeated, Sir, again and again. I shall immediately show, Sir, if the Government benches are inclined to listen that how the bunding is a factor to be reckoned with. It is not merely a case of this reservoir area being pumped in from the southern side and filled with water. It is not solely that. It is a case of that area on the northern side of the Parappur road, that is the reservoir *into which water from the northern paddy fields after the Mundakan crop is over is let in*. The putting up of the bund earlier will be a prevention for such flow of water from northern areas into this reservoir area going further southwards and to say the least the bald statement that the level of the Mullurkayal area and the level of the water in the Enamakkal bund area is such and such, the difference is only slight, is certainly not an answer to the points raised by me. The area on the southern side being a very extensive one, even though the difference in the level on the northern side and southern side be slight, that is enough for the purpose of drainining all the excess water from the other side if a free flow of water is allowed, if the vent-ways are not closed.

Mr. V. K. Aravindaksha Menon *(Chief Engineer)*: It is not true.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: Anyhow the Hon'ble Member for Public Works was pleased to say that after hearing the parties before the Diwan some days back, though from the technical stand-point the opening of the bunds was not necessary, considering it to be a psycological feeling of the parties just to satisfy that a D. O. was sent to the Assistant Engineer who was asked to open it. I assert before this House that even with that D. O. only the central span in the central bridge with three spans was widened on either side of the existing chal only to the extent of less than half a foot on either side and that even, not to the whole depth. If you are going to respect the feelings of the parties, if you take into your head to do that, why not do it properly. I maintain from the information supplied by the aggrieved parties—I am not a technical man to say that the opinion of the Hon'ble Member for Public Works is either right or wrong—I will only state that according to the information placed at my disposal by the parties concerned and persons by whom they are advised if the bunds are completely removed the Virippu crop will not be prejudicially affected and if the bunds are not put up very early, earlier than what is absolutely nesessary for saving the Kole lands on this side, the Mundakan crop will not be affected prejudicially.

Mr. V. K. Aravindaksha Menon *(Chief Engineer)*: I asked my Assistant Engineer to go and inspect the conditions. He wrote to me that there was practically no difference at all in

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the levels. He said that it was only ¾ of an inch, and that there will be no use in making any fourth opening in the bund but that he was however doing it. Even he could not understand why it should be done. He is a qualified Engineer and he must be expected to know these things properly, but he did not feel the necessity. Now the Hon'ble Member says that it ought to be done whether it is necessary or not. I have no objection and I shall write to him again to remove all the obstruction.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* I am so sorry, Sir, that the proposition has not been understood in its proper perspective.

Mr. V. K. Aravindaksha Menon *(Chief Engineer):* That is my complaint also.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* I was stressing before this House Sir. that as far as the effect of the non-removal of these vent-ways is concerned, the adverse effect is upon the Virippu crop. The successful raising of the Virippu crop is adversely affected by the non-removal and again it has got effect upon the raising of the Mundakan crop also. Anybody who has anything to do with the raising of the Mundakan crop knows that the operations as far as seedlings are concerned have to commence just now by the 15th Karkadagam and to-day is the 14th. Now the water collected in the Mullurkayal area on the borders of this lake, if there is excess of water in the fields, the seedlings cannot grow there properly.

Mr. V. K. Aravindaksha Menon *(Chief Engineer):* There is no excess of water there.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* The persons on the site say that there is water and because of that they are not able to do the agricultural operations as they were able to do in previous years. Here is the technical department saying that there is no excess water. I have seen water flowing with my own eyes at a great velocity southwards. Does it show the sameness of the level on either side. If you are doubting my statement that I have seen it with my own eyes it will be supported by my friend Mr. K. Narayana Menon who accompanied me and he also saw water flowing with very great velocity and still you maintain that the level is the same.

Mr. V. K. Aravindaksha Menon *(Chief Engineer):* I cannot believe it. It is a matter which I also saw on the same day. Within the half hour there would not have been so much difference.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* On that point I beg to differ.

Mr. V. K. Aravindaksha Menon *(Chief Engineer):* One day later, the Assistant Engineer writes to me saying that there is no difference in the water level also.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* If the Government is not prepared to dispassionately consider this question, I have at least some respect for my own lungs. I do not propose to reply to the reply of the Government because it serves no useful purpose. No useful reply has been given. I am so sorry that a subject in which as many as hundreds of tenants are adversely affected for no fault of theirs but for the larger interests of the country—when the request is made that their cases should be considered sympathetically, when certain suggestions are placed before the Government so that they may be favourably considered and if possible accepted—when these attempts are to be met by these methods, it is better that representations are not made. If there is any proper corner where the representations will stick, we will seek that corner and try our way to have our grievances redressed. I am certainly of the opinion that the subject deserved a better treatment at the hands of the Government, the Government ought to have been prepared to give necessary answers to the necessary and relevant questions raised for the purpose of this debate, being helpful in their attitude. Sir, one or two words more and I shall close. My friend, the Hon'ble Member for Mulakunnathukavu was placing before the Government three particular points on behalf of the aggrieved party, that is payment in kind insisted upon by the jenmi as regards his due has become impossible in the very nature of things. Sir, some remedy may be found out for that. That is not even cared to be answered. It would appear that such a suggestion was not made from this side.

Mr. A. Madhava Prabhu *(Diwan Peishkar):* Sir, I would like to.....

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Sir, I am on my legs. Useful and necessary information is not supplied and interruption is made instead. I refuse to give way.

Panel Chairman: Mr. Ezhuthassan, let the Hon'ble Member for Revenue say what he has to say.

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Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* I obey the chair, Sir.

Mr. A. Madhava Prabhu *(Diwan Peishkar):* That was really an omission, oversight on account of other things. When the matter was placed at the time of the conference before the Diwan we have been asked to look into the matter and suggest any remedy and we are going to do that.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Let it be clearly understood, Sir, that there is a wide gulf of difference between a subject being discussed in this House by the representatives of the people and one or two people appearing before the administrative head as petitioners. Let that difference be noted and then you will see the difference. This is the proper form and I am sure the Diwan of Cochin will be influenced by the proceedings here. Sir, this House has the assurance from him that the constructive suggestions of this House will be looked into by him in whatever shilly-shally way this has been treated by the Treasury Benches. It is conceded by the Hon'ble Revenue Member that it was left out. The specific point raised in the discussion of a motion was left out as an omission. That is the limit of indifference. But is that the only point left out, Sir? Then what about the payment in kind. The payment was not made in time for no fault of these tenants. Then as regards the inistence—I will read from a notice served by the Diwan Peishkar on the parties that before compensation is paid receipts for the payment of all the arrears due to the jenmi must be produced. Specific reference was made to that. That clause in the notice may not be insisted upon. I shall deal with the jenmi according to the terms between us. Let this not be a clog for the payment of compensation. That again is admitted by the silence as an omission not cared to be replied. On the other hand, Sir, I thought that greater respect for the proposition and the suggestion contained in the proposition will be paid. In spite of the reply of the Government the proposition that I placed in moving the cut and the necessity for looking into that question stands. I hope it will stick where it ought to stick and with that hope I close. My hopes in the present Government of Cochin and in the present head of the administration are such that even without pressing this motion to a division I am sure the tenant will be relieved. With this hope I seek leave of the House to withdraw my motion.

Cut Motion by leave withdrawn

Mr. K. Narayana Menon *(Mulakunnathukavu):* Sir, I have got very little to add I propose not to press the cut motion—not entirely on the same grounds as that of my Hon'ble predecessor but other grounds as well. As regards my suggestion that a committee may be appointed to go into the question, I think, it has been accepted. I request the Hon'ble Member for Public Works that necessary steps will be taken even before the usual time so that we may have ample time to consult upon these matters. The committee may go to the site because it will be very helpful. As regards the other point, I believe that the Government will be pleased to view these things with some sort of sympathy, about the compensation, about reliefs to the agriculturists, etc. In the hope that whatever may be the psychological effects on the tenants of this scheme the economic effect may not be lost sight of by the Government and praying that this will certainly have the desired effect I beg leave of the House to withdraw my motion.

Cut motion, by leave withdrawn

CUT MOTION No. 22

Putting up bunds on the sides of Karivannur river

Mr. C. Kunjan Nambudiripad *(Urakam):* Sir, I move to reduce the allotment of Rs. 16,88,372 for "Public Works—Civil Engineering" by Rupee one to *impress upon the Government the high necessity of putting up strong bunds on both sides of the Karivannur river so that the fear of the people and the chances for a sudden breach during the high floods may be minimised.*

കരുവന്നൂർ പുഴയിലെ വെള്ളപ്പൊക്കത്തെക്കുറിച്ച് ഈ നിയമസഭയിൽ പലേ അവസരങ്ങളിലും പലേ രൂപത്തിലും ആലോചനാവിഷയമായിട്ടുള്ളതാണ്. അതിന്റെ നിവാരണത്തിനായി ഗവർമെണ്ടിൽനിന്നും പലതും ചെയ്യിട്ടുണ്ട്. അതുമൂലം അവിടത്തെ ജനങ്ങൾക്കു കുറ്റമായ ഗുണം ലഭിച്ചിട്ടുമുണ്ട്. എന്നാൽ, അതുകൊണ്ടുമാത്രം ആ പ്രശ്നം മുഴുവൻ തീർന്നുവെന്നു ഗവർമെണ്ടിനു സമാധാനിക്കാറായില്ലെന്നാണ് എനിക്കു പറയു

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